

EXAMINER'S AMENDMENT

1. This action is in response to the Decision on Appeal filed 6/29/2010. With regards to specific knowledge of the existence of a particular reference which indicates non-patentability of appealed claims as to which the examiner was reversed, the examiner is hereby reopening prosecution under 37 CFR 1.198. Accordingly, the final rejection filed 6/12/2008 has been withdrawn.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph Palan on 10/26/2010.

The application has been amended as follows:

Claims 1-13 (Canceled)

Claims 21-33 (Canceled)

34. (Currently Amended) A method of managing a network, comprising:
receiving a message at an initial storage node, the message including a subscriber identifier;
calculating an actual destination node based on the subscriber identifier and a first addressing function corresponding to a current topology of the network;
sending the message to the actual destination node for storage;

storing the message to an internal queue of the initial storage node;

removing the message from the internal queue if a confirmation of receipt is received from the actual destination node;

sending a message waiting indicator message toward a device associated with the subscriber identifier;

receiving, by a first node that stores messages, a message retrieval request;

calculating, by the first node using a subscriber identifier and a first addressing function, a second node that stores messages;

calculating, by the first node using the subscriber identifier and a second addressing function, a third node that stores messages; and

forwarding, by the first node, the message retrieval request to the second and third nodes, wherein the first and second addressing functions are hash functions.

35. (Unchanged) The method of claim 34, wherein the first and second addressing functions correspond to a topology of the network at different moments in time.

36. (Unchanged) The method of claim 34, wherein the first and second addressing functions are hash functions, and the first and second addressing functions each have a different expiration time.

37. (New) A non-transitory computer readable medium to store a set of instructions capable of being executed by a processor to:

receive a message at an initial storage node, the message including a subscriber identifier;

calculate an actual destination node based on the subscriber identifier and a first addressing function corresponding to a current topology of the network;

send the message to the actual destination node for storage;

store the message to an internal queue of the initial storage node;

remove the message from the internal queue if a confirmation of receipt is received from the actual destination node;

send a message waiting indicator message toward a device associated with the subscriber identifier;

receive a message retrieval request at an initial retrieval node of the network, the message retrieval request including the subscriber identifier;

calculate a plurality of destination nodes based on the subscriber identifier and a plurality of addressing functions, each addressing function corresponding to a topology of the network at a particular moment in time, the plurality of destination nodes including the actual destination node and the plurality of addressing functions including the first addressing function;

query the calculated plurality of destination nodes for the message;

receive the message from the actual destination node; and

forward the message toward an originator of the message retrieval request, wherein the addressing functions are hash functions.

38. (New) The medium of claim 37, wherein the originator of the message retrieval request is a wireless handset, the message being at least one of a short messaging service message and a mail digest.

39. (New) The method of claim 37, wherein the originator of the message retrieval request is a wireless handset, the message being a long messaging service message.

40. (New) The medium of claim 37, wherein the instructions are further capable of being executed to:

receive a plurality of messages from the calculated plurality of destination nodes;
and

forward the plurality of messages toward the originator of the message retrieval request.

41. (New) The medium of claim 37, wherein the instructions are further capable of being executed to:

expire one or more of the plurality of addressing functions based on a message validity period.

42. (New) The medium of claim 37, wherein the instructions are further capable of being executed to:

expire one or more of the plurality of addressing functions for an expired destination node based on a local expiration signal from the expired destination node.

43. (New) The medium of claim 37, wherein the instructions are further capable of being executed to:

apply a time stamp to each of the plurality of addressing functions; and

deliver each of the plurality of addressing functions to the plurality of destination nodes before activation.

3. The following is an examiner's statement of reasons for allowance: The examiner had knowledge of references precluding patentability of at least claims 1, 21 and 34 in their form as presented to the BPAI. Applicant's representative agreed to an examiner's amendment to place the case into condition for immediate allowance. The elements of independent claims 14, and amended claims 34 and 37, are not taught by the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571)272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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